United Nations A/HRC/WG.6/25/IRL/2

General Assembly

Distr.: General
7 March 2016

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-fifth session
2-13 May 2016

Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Ireland

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

GE.16-03581(E)

Please recycle

I. Background and framework

A. Scope of international obligations[1]

1. International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (2000) ICESCR (1989) ICCPR (1989) ICCPR-OP 2 (1993) CEDAW (1985) CAT (2002) OP-CAT (signature, 2007) CRC (1992) OP-CRC-AC (2002) OP-CRC-SC (signature, 2000) CRPD (signature, 2007) ICPPED (signature, 2007)		OP-CAT (signature, 2007) OP-CRC-SC (signature, 2000) ICRMW CRPD (signature, 2007) ICPPED (signature, 2007)
Reservations and/or declarations	ICERD (reservation/interpretative declaration, art. 4, 2000) ICESCR (reservations, arts. 2 (2) and 13 (2) (a), 1989) ICCPR (reservations, arts. 10, para. 2 and 20 (1), 1989; withdrawal of declaration, art. 6 (5), 1994; withdrawal of reservations, arts. 14 (6) and 23 (4), 1998/art. 14, 2009) ICCPR-OP 1 (reservation, art. 5 (2), 1989) CEDAW (reservations, arts. 16 (1) (d) and (f), 11 (1) and 13 (a), 1985; withdrawal of reservations, arts. 9 (1), 15 (4), art. 15 (3), 2000, art. 13 (b) and (c), 2004) CRC (declaration, 1992) OP-CRC-AC (binding declaration under art. 3: 17 years)	ICCPR (withdrawal of reservation, art. 19 (2), 2011) OP-CRC-AC (declaration, art. 3 (2): 18 years, 2015)	
Complaints procedures,	ICERD, art. 14 (2000)	OP-CRC-IC, art. 13 (2014)	OP-ICESCR (signature, 2012)

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
inquiries and urgent action[3]	ICCPR, art. 41 (1989) ICCPR-OP 1 (1989) OP-CEDAW, art. 8 (2000) CAT, arts. 21 and 22 (2002) ICPPED (signature, 2007)	OP-ICESCR (signature, 2012)	OP-CRC-IC, art. 12 ICRMW OP-CRPD ICPPED (signature, 2007)

2. Other main relevant international instruments[4]

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol[5] Conventions on refugees and stateless persons[6] Geneva Conventions of 12 August 1949 and Additional Protocols I and II;[7] Additional Protocol III (signature only, 2006) ILO fundamental conventions[9]	ILO Convention No. 189[10]	Additional Protocol III to the 1949 Geneva Conventions (signature 2006)[8] ILO Convention No. 169[11] UNESCO Convention against Discrimination in Education

1. One or more treaty bodies welcomed the ratification by Ireland of OP-CRC-IC and the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).[12] In 2015, the Committee on Economic, Social and Cultural Rights welcomed the signature by Ireland of OP-ICESCR.[13] In 2012, the Special Rapporteur on extreme poverty and human rights welcomed the commitment of Ireland to pass the necessary legislation to enable the ratification of CRPD.[14]

2. Ireland was invited to become a party to OP-ICESCR, CRPD, OP-CRC-SC, ICRMW and ICPPED.[15]

3. With reference to a noted universal periodic review recommendation,[16] the United Nations Educational, Scientific and Cultural Organization (UNESCO) strongly encouraged Ireland to ratify the Convention against Discrimination in Education.[17]

4. In 2014, the Human Rights Committee welcomed the withdrawal by Ireland of reservations to articles 14 and 19 (2) of ICCPR.[18]

5. Ireland was invited to review its reservations to articles 10 (2) and 20 (1) of ICCPR, with a view to their withdrawal; and to withdraw its reservation to article 13 (2) (a) of ICESCR.[19]

B. Constitutional and legislative framework

6. The Committee on Economic, Social and Cultural Rights welcomed the referendum that approved equal marriage in 2015.[20] It regretted that article 41 (2) of the Constitution on the role and status of women in Irish society remained unchanged. The Committee recommended that Ireland amend that article to render its provisions gender-equal.[21]

7. Concerned that blasphemy continued to be an offence under article 40.6.1 of the Constitution and section 36 of the Defamation Act 2009, the Human Rights Committee stated that Ireland should consider removing the prohibition of blasphemy from the Constitution as recommended by the Convention on the Constitution.[22] UNESCO made related recommendations.[23]

8. In 2016, the Committee on the Rights of the Child appreciated adoption of the Thirty-first Amendment of the Constitution (Children) Act to expressly recognize children as rights holders under the Constitution.[24] It recommended that Ireland consider implementing its plan to carry out a national referendum on lowering the voting age to 16 years in accordance with its previous commitment.[25] It urged Ireland to take all necessary measures to fully incorporate the Convention into domestic law.[26]

9. While welcoming the commencement of the work by the Law Reform Commission concerning the domestic implementation of the international obligations of Ireland, the Human Rights Committee regretted that Ireland had not undertaken the tabulation of relevant provisions of its domestic legislation as pledged. The Committee recommended that Ireland take effective measures to ensure that the rights protected under ICCPR are given full effect in its domestic order.[27]

10. In 2015, the Committee on Economic, Social and Cultural Rights reiterated its recommendation that Ireland take all appropriate measures to ensure the direct applicability of the Covenant's provisions.[28]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[29]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[30]
Irish Human Rights Commission	A	Dissolved
Irish Human Rights and Equality Commission	N/A	A (2015)

11. While welcoming the adoption of the Irish Human Rights and Equality Commission Act in July 2014, the Human Rights Committee recommended that Ireland consider applying a unified definition of human rights in the Act.[31] The Committee on Economic, Social and Cultural Rights recommended that Ireland review the Act with a view to ensuring that the Commission covers and applies all rights enshrined in ICESCR in exercising its functions.[32]

12. The Committee on the Rights of the Child recommended that Ireland consider: ways and means to directly provide the Office of the Ombudsman with financial resources; and

amend the provisions of the Ombudsman for Children Act, 2002, which preclude the Ombudsman from investigating complaints from children in a refugee, asylum-seeking and/or irregular migration situation, and to bring actions taken by the Defence Forces vis-à-vis children under the age of 18.[33] Related recommendations were made by the Office of the United Nations High Commissioner for Refugees (UNHCR).[34]

13. The Special Rapporteur on the situation of human rights defenders recommended that Ireland consider adopting a national plan of action on human rights, which should include a section on human rights defenders.[35] The Committee on the Rights of the Child welcomed the working outline of a national action plan on business and human rights 2016-2019 and recommended, inter alia, that Ireland require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts.[36]

14. UNESCO encouraged Ireland to continue implementing human rights education towards women's rights, children's rights and religious freedom.[37]

15. The Committee on the Rights of the Child recommended that Ireland increase the budget allocated to social sectors and address disparities through the application of indicators; and include children's rights impact assessments in the framework of integrated social impact assessments, to ensure that fiscal and budgetary decisions are compliant with the obligations under the Convention.[38]

16. Concerned at the lack of meaningful consultation, particularly relating to persons with disabilities, people living in poverty, Travellers and Roma, the Committee on Economic, Social and Cultural Rights made recommendations, including for regular consultation on policymaking by establishing an effective consultation mechanism.[39]

II. Cooperation with human rights mechanisms

17. Ireland submitted a voluntary mid-term review report.[40]

A. Cooperation with treaty bodies

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Committee on the Elimination of Racial Discrimination	March 2011	-	-	Combined fifth to seventh reports overdue since 2014
Committee on Economic, Social and Cultural Rights	May 2002	2012	June 2015	Fourth report due in 2020
Human Rights Committee	July 2008	2012	July 2014	Fifth report due in 2019
Committee on the Elimination of	July 2005	-	-	Combined sixth to seventh reports due in 2016

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Discrimination against Women				
Committee against Torture	June 2011	2015	-	Second report pending consideration
Committee on the Rights of the Child	September 2006/ February 2008	2013	January 2016	Combined fifth to sixth reports due in 2021

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
Committee on the Elimination of Racial Discrimination	2012	Budget cuts for human rights institutions; self-identification; racial discrimination legislation; domestication of ICERD[41]	2012;[42] follow-up dialogue ongoing[43]
Human Rights Committee	2015	Institutional abuse of women and children; symphysiotomy; detention conditions[44]	2015;[46] follow-up dialogue ongoing
	2009	Definition of terrorist acts; detention conditions; non-denominational primary education[45]	2012;[47] further information requested[48]
Committee against Torture	2012	Financial resources for human rights institutions; follow-up to the report of the Commission to Inquire into Child Abuse; alleged torture and ill-treatment of girls and women in the Magdalene laundries; female genital mutilation[49]	2012[50] and 2013;[51] follow-up dialogue ongoing

B. Cooperation with special procedures[52]

	Status during previous cycle	*Current status*
Standing invitation	Yes	Yes
Visits undertaken	Extreme poverty	Human rights defenders
Visits agreed to in principle	-	-
Visits requested	Human rights defenders	Water and sanitation
Responses to letters of allegation and urgent appeals	During the period under review, four communications were sent. The Government replied to three communications.	
Follow-up reports and missions	Extreme poverty[53]	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

18. Ireland contributed annually to the Office of the United Nations High Commissioner for Human Rights, including to the United Nations Fund for Victims of Torture.[51]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

19. The Committee on Economic, Social and Cultural Rights expressed concern at pervasive gender inequality.[55] The Human Rights Committee expressed concern that, despite the adoption of the Electoral (Amendment) Political Funding Act, which encouraged political parties to establish a quota for female candidates, women continued to be underrepresented in both public and private sectors, particularly in decision-making positions.[56] The Committee on Economic, Social and Cultural Rights recommended that Ireland take effective measures to increase women's representation in decision-making positions in all areas, close the gender pay gap and eliminate strong gender role stereotypes;[57] ensure that all women workers benefit from the maternity benefits scheme; ensure paternity leave; and expand affordable public childcare services.[58]

20. The Committee on Economic, Social and Cultural Rights recommended that Ireland adopt comprehensive anti-discrimination legislation that includes all the grounds for discrimination set out in article 2 (2) of the Covenant.[59]

21. The Committee on the Rights of the Child recommended the establishment of a successor to the National Action Plan against Racism 2005-2008.[60]

22. The Committee on the Rights of the Child noted with appreciation the adoption of the Gender Recognition Act 2015, providing that, from 16 years of age, the preferred gender of a person would be fully recognized by the State for all purposes. However, it remained concerned about cases of medically unnecessary surgeries and other procedures on intersex children before they were able to provide their informed consent;[61] and at discrimination against lesbian, bisexual, gay, transgender and intersex children.[62]

23. The Committee on the Rights of the Child recommended that Ireland undertake measures to: ensure that children born out of wedlock have legal certainty in respect of their family name, with a view to minimizing stigma or discrimination that could be faced by such children; assist children fathered by Catholic priests in upholding their right to know and be cared for by their fathers, as appropriate; and ensure that children born through assisted reproduction technologies, in particular with the involvement of surrogate mothers, have their best interests taken as a primary consideration and have access to information about their origins.[63]

B. Right to life, liberty and security of the person

24. Regarding overcrowding in prisons, the Special Rapporteur on human rights defenders noted efforts to improve considerably the situation in certain detention centres and welcomed the Government's commitment to end "slopping out" by 2014.[64] The Human Rights Committee recommended that Ireland step up its efforts to improve the living

conditions and treatment of detainees and address overcrowding and the practice of "slopping out" as a matter of urgency in line with the Standard Minimum Rules for the Treatment of Prisoners. Ireland should establish a concrete timeline for the achievement of complete separation of remand and sentenced prisoners, juvenile and adult prisoners and detained immigrants and sentenced prisoners.[65]

25. The Human Rights Committee recommended that Ireland implement the new Irish Prison complaints model for all categories of complaints without further delay and ensure its independent functioning.[66]

26. The Human Rights Committee recommended, inter alia, that Ireland ensure that non-consensual use of psychiatric medication, electroshock, and other restrictive and coercive practices in mental health services, is generally prohibited; promote psychiatric care aimed at preserving the dignity of patients, both adults and minors; and amend the definition of voluntary patient under the Mental Health Act so that the term only refers to a person who consents to admission and treatment.[67] The Committee on Economic, Social and Cultural Rights recommended that Ireland immediately take measures to separate child patients from adults in psychiatric facilities.[68]

27. Noting that the common law defence of reasonable and moderate chastisement remained part of domestic legislation, the Human Rights Committee recommended that Ireland put an end to corporal punishment in all settings and encourage non-violent forms of discipline.[69]

28. The Human Rights Committee was concerned that domestic and sexual violence against women remained a serious problem.[70] The Committee on Economic, Social and Cultural Rights recommended that Ireland introduce a domestic violence bill, improve data collection on domestic violence and strengthen support services, including shelters and legal aid, for victims of domestic violence.[71]

29. Taking note of target 2 of Sustainable Development Goal 16 to end abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee on the Rights of the Child recommended that Ireland ensure sufficient 24-hour refuge accommodation for persons affected by domestic violence and their children; and the allocation of adequate resources to the Child and Family Agency to respond to child protection referrals and address the needs of at risk children in a timely manner.[72]

C. Administration of justice, including impunity, and the rule of law

30. The Special Rapporteur on human rights defenders recommended that Ireland expedite the establishment of the Judicial Council.[73] The Committee on Economic, Social and Cultural Rights recommended enhanced training for judges, lawyers and public officials on the Covenant.[74]

31. Concerning police complaint procedures, the Human Rights Committee recommended that Ireland proceed with the timely adoption of the General Scheme of the Garda Síochána (Amendment) Bill 2014 to strengthen the independence and effectiveness of the Garda Síochána Ombudsman Commission and ensure that the proposed establishment of the Garda Síochána Authority does not encroach upon or undermine the work of the Commission, but rather complements and supports it.[75]

32. The Human Rights Committee recommended that Ireland fully implement the Fines Act 2014 to provide for a community service order as an alternative to imprisonment for failure to pay court-ordered fines or civil debt, and ensure that in no case is imprisonment used as a method of enforcing contractual obligations.[76]

33. Concerned at the lack of free legal aid services, particularly in the areas of employment, housing and forced evictions and social welfare benefits, the Committee on Economic, Social and Cultural Rights recommended, inter alia, that Ireland expand the remit of the Civil Legal Aid Scheme.[77]

34. The Human Rights Committee recommended that Ireland guarantee, in law and in practice, the right to counsel prior to interrogation, and take concrete steps to facilitate the presence of lawyers during interrogation.[78]

35. On symphysiotomy, performed on approximately 1,500 girls and women without their free and informed consent, the Human Rights Committee recommended that Ireland: initiate a prompt, independent and thorough investigation into cases of symphysiotomy, prosecute and punish the perpetrators, including medical personnel; provide survivors with an effective remedy on an individualized basis; and facilitate access to judicial remedies, allowing survivors to challenge the sums offered to them under the ex gratia scheme.[79]

36. While noting the State's apology to survivors, the Committee on Economic, Social and Cultural Rights regretted the massive and systemic forced labour that occurred in the Magdalene laundries, and recommended that Ireland conduct prompt, thorough and independent investigations into those allegations, bring those responsible to justice and provide all victims with effective remedies.[80] The Human Rights Committee recommended that Ireland conduct prompt, independent and thorough investigations into allegations of abuse in children's institutions and mother and baby homes, prosecute and punish perpetrators and ensure that all victims obtain an effective remedy.[81]

37. The Committee on the Rights of the Child appreciated the adoption of the Children (Amendment) Act 2015, repealing all parts of the current statute book that permitted the detention of children in adult prison facilities. It urged Ireland to reinstate the provisions regarding the age of criminal responsibility at 14 years as established in the Children Act 2001; and, in cases where detention is unavoidable, ensure that the detention is for the shortest possible period, and that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health-care services.[82]

D. Right to privacy, marriage and family life

38. The Committee on the Rights of the Child recommended that Ireland consider incorporating provisions on information disclosure, family tracing and post-adoption support measures, in accordance with international practice, into the Adoption Act, 2010.[83]

39. The Committee on the Rights of the Child recommended the removal of all exceptions that allow marriage under the age of 18 years.[84]

40. While welcoming the adoption of the Child and Family Agency Act, the Committee on the Rights of the Child recommended that Ireland: undertake measures to ensure children in alternative care who have disabilities or mental health needs have those needs addressed in an integrated and comprehensive manner; adequately support young people prior to their leaving care; and address the needs of children who have experienced homelessness.[85]

E. Freedom of religion or belief, expression, association and peaceful assembly. and right to participate in public and political life

41. The Human Rights Committee recommended that Ireland amend articles 12, 31 and 34 of the Constitution that require religious oaths to take up senior public office positions.

It recommended that Ireland amend section 37 (1) of the Employment Equality Act to bar all forms of discrimination in employment in the fields of education and health.[86]

42. The Special Rapporteur on human rights defenders considered that human rights defenders in Ireland worked in a conducive and enabling environment that, in general, met international standards. Nevertheless, the Special Rapporteur recommended that Ireland investigate all allegations and reports of intimidation, harassment and surveillance in the context of the Corrib Gas dispute in a prompt and impartial manner, conduct investigations regarding the actions of the police and adopt the measures necessary to instruct and equip the police in the area to discharge their functions adequately, particularly with regard to the policing of protests and crowd control.[87]

43. The Special Rapporteur on human rights defenders recommended that Ireland enact adequate overarching legislation to protect whistle-blowers in all sectors of activity.[88]

F. Right to work and to just and favourable conditions of work

44. While noting the publication of the National Minimum Wage (Low Pay Commission) Bill 2015, the Committee on Economic, Social and Cultural Rights was concerned at: the insufficient level of the minimum wage to ensure a decent living; exemptions from the obligation to pay the statutory minimum wage; and the inadequate working conditions and access to labour protection and benefits of workers on zero-hour (or low-hour) contracts.[89]

45. The same Committee recommended that Ireland expedite the adoption of the National Minimum Wage (Low Pay Commission) Bill 2015 and the Industrial Relations (Amendment) Bill 2015, review all relevant legislation to ensure just and favourable conditions of work for all workers, and take the steps necessary to ensure that the minimum wage applies to all employees and ensures a decent living for workers and their families.[90] It also recommended that Ireland enhance the collective bargaining rights of trade unions and do away with the requirement to obtain collective bargaining licences.[91]

46. Concerned at the disproportionately high rates of unemployment among Travellers, Roma, young people and persons with disabilities, the same Committee recommended targeted measures, including a quota system and professional training and employment support services, and improved data collection on unemployment.[92]

G. Right to social security and to an adequate standard of living

47. Despite social transfers made to mitigate the impact of austerity measures, the Committee on Economic, Social and Cultural Rights was concerned that the response of Ireland to the economic and financial crisis had been disproportionately focused on instituting cuts to public expenditure in the areas of housing, social security, health care and education, without altering its tax regime.[93] It recommended that austerity policies be temporary, covering only the period of the crisis, and necessary and proportionate. They must not result in discrimination and increased inequalities.[94] It also recommended that Ireland ensure that austerity measures are gradually phased out; consider reviewing its tax regime in a transparent and participatory manner; and consider instituting human rights impact assessments in its policymaking process.[95]

48. The Special Rapporteur on extreme poverty noted with concern that children continued to be among the hardest hit by the economic downturn, with 19.5 per cent of children at risk of poverty, and 30.2 per cent experiencing material deprivation. The Special Rapporteur regretted that her recommendations with respect to ring-fencing the Child

Benefit and other allowances had not been reflected in recent developments.[96] The Committee on the Rights of the Child recommended that Ireland ensure that the revisions of its poverty reduction targets for 2020 takes into account increases in the number of children living in consistent poverty and put in place a detailed action plan to ensure that targets are met within a specified time frame.[97] Expressing concern at the increased number of people living in consistent poverty or at risk of poverty, the Committee on Economic, Social and Cultural Rights recommended the integration of a human rights-based approach in all poverty reduction programmes and strategies.[98]

49. The Special Rapporteur on extreme poverty remained concerned about the application of the habitual residency condition to social protection benefits, particularly for people experiencing homelessness, Travellers, asylum seekers, migrant workers and returning Irish migrants.[99] The Committee on Economic, Social and Cultural Rights was also concerned at the discriminatory effect of the habitual residence condition on women who were victims of domestic violence. It recommended that Ireland ensure the consistent application of criteria by providing clear guidelines and training to the relevant officials.[100]

50. Concerned at the large number of social welfare appeals, the same Committee also recommended that Ireland clarify the eligibility criteria regarding social welfare benefits as well as their application so as to avoid a large number of appeals.[101]

51. The same Committee was concerned at the increase in food insecurity and malnutrition, and at the high cost of healthy food, which put disadvantaged families at risk of obesity. It recommended that Ireland take concrete measures to address the critical food and nutritional needs of disadvantaged families and expedite the adoption of a national action plan on food security and nutrition in line with the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.[102]

52. The Special Rapporteur on extreme poverty noted that she had urged the Government to take immediate action to meet the critical need for social housing, and to adopt measures to solve the long-term housing needs in the country from a rights-based approach. Unfortunately, no action had been taken in that regard.[103] Deeply concerned at reports of families affected by homelessness facing significant delays in accessing social housing and frequently living in inappropriate, temporary or emergency accommodation on a long-term basis, the Committee on the Rights of the Child urged Ireland to undertake measures to increase the availability of social housing and emergency housing support.[104] The Committee on Economic, Social and Cultural Rights expressed concern at the increased costs of rental housing and reduced family incomes. It recommended that Ireland consider introducing legislation on private rent and increasing rent supplement levels and banking regulations in order to strengthen protection for mortgage borrowers in arrears.[105]

H. Right to health

53. The Committee on Economic, Social and Cultural Rights was concerned at the overall deterioration in health-care services due to significant budget cuts and the negative impact on access. It recommended that Ireland: improve its public health-care services, by increasing public spending and introducing a common waiting list for treatment in publicly funded hospitals for privately and publicly insured patients; expedite the introduction of a universal health services system and community-based health services; and strengthen the Health Information and Quality Authority.[106] The Committee on the Rights of the Child urged Ireland to address root causes of exclusion from access to health-care services and undertake programmes for the issuance of medical cards in Traveller and Roma communities.[107]

54. While welcoming the recent strengthening of the Inpatient Child and Adolescent Mental Health Service, the Committee on the Rights of the Child recommended that Ireland undertake measures to strengthen the capacity of its mental health services for inpatient treatment, out-of-hours facilities, and facilities for treating eating disorders; and consider establishing a mental health advocacy and information service specifically for children. Additionally, while noting the recent adoption of a suicide prevention strategy by Ireland, the Committee remained concerned at the high number of suicides among adolescents.[108] The Committee on Economic, Social and Cultural Rights recommended that Ireland revise the Mental Health Act 2001 in the light of the recommendations of the expert group tasked with reviewing it and expedite the implementation of the national mental health policy "A vision for change" through the allocation of sufficient resources.[109]

55. The Committee on Economic, Social and Cultural Rights and the Human Rights Committee expressed their concern at the highly restrictive legislation on abortion and its strict interpretation thereof.[110] The Committee on the Rights of the Child expressed concern about the Protection of Life During Pregnancy Act 2013, which allowed for abortion only when there was a "real and substantial risk" to the life of the mother and criminalized abortion even in instances where the pregnancy resulted from rape or incest, or in cases of severe fetal impairment. It was further concerned that the term "real and substantial risk" prevented doctors from being able to provide services in accordance with objective medical practice.[111] The Human Rights Committee was concerned about the excessive degree of scrutiny by medical professionals for pregnant and suicidal women leading to further mental distress; the discriminatory impact of the Protection of Life During Pregnancy Act on women who were unable to travel abroad to seek abortions; the imposition of criminal sanctions on health-care providers who referred women to abortion services outside of Ireland under the Regulation of Information (Services Outside the State For Termination of Pregnancies) Act 1995; and the severe mental suffering caused by the denial of abortion services.[112]

56. The Committee on Economic, Social and Cultural Rights called for a referendum on abortion and recommended that Ireland revise its legislation on abortion, including the Constitution and Protection of Life During Pregnancy Act, in line with international human rights standards.[113] The Committee on the Rights of the Child recommended that Ireland decriminalize abortion in all circumstances and review its legislation with a view to ensuring access by children to safe abortion and post-abortion care services.[114] The Committee on Economic, Social and Cultural Rights recommended that Ireland adopt guidelines to clarify what constitutes a real substantive risk to the life of a pregnant woman and publicize information on crisis pregnancy options through effective channels of communication.[115]

57. Concerned at the severe lack of access to sexual and reproductive health education and emergency contraception for adolescents, the Committee on the Rights of the Child recommended that Ireland adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents.[116]

I. Right to education

58. While welcoming the establishment of the Forum on Pluralism and Patronage in the Private Sector, the Committee on the Rights of the Child was concerned at schools continuing to practise discriminatory admissions policies on the basis of the child's religion.[117] The Human Rights Committee was concerned about the slow progress in increasing access to secular education through the establishment of non-denominational schools, divestment of the patronage of schools and the phasing out of integrated religious

curricula in schools accommodating minority faith or non-faith children.[118] The Committee on Economic, Social and Cultural Rights was concerned at the discriminatory criteria against children with special educational needs contained in many admissions policies and the lack of a regulatory framework.[119]

59. The Committee on Economic, Social and Cultural Rights recommended that Ireland bring all relevant laws, including the Equal Status Act 2000 and the Education (Admission to Schools) Bill 2015, into line with international human rights standards and increase the number of non-denominational schools at the primary and post-primary education levels. It also recommended that Ireland step up its efforts to promote inclusive education for all, including the implementation of the Education for Persons with Special Educational Needs Act 2004 and to ensure equal opportunities for all children to quality education.[120]

60. The Committee on the Rights of the Child recommended that Ireland establish an effective complaints mechanism for children in schools; consider reforming the Leaving Certificate Examination to reduce stress caused to children; and develop curriculum of physical leisure activities for all.[121]

J. Persons with disabilities

61. The Human Rights Committee recommended that Ireland bring the Assisted Decision-Making (Capacity) Bill 2013 into line with international standards on the rights of persons with disabilities.[122]

62. Concerned at the persistent institutionalization of persons with disabilities and the poor living conditions of residential centres for persons with disabilities, the Committee on Economic, Social and Cultural Rights recommended that Ireland: make available alternatives to institutionalization, including community-based care programmes; improve living conditions in residential centres, including through regular inspections; and enhance access for persons with disabilities, including by cancelling the cuts in social benefit programmes.[123]

K. Minorities and indigenous peoples

63. The Special Rapporteur on extreme poverty acknowledged that Ireland indicated during the universal periodic review that it was giving serious consideration towards officially recognizing Travellers as an ethnic group, and called on the Government to do so as a matter of priority.[124] Three treaty bodies made related recommendations.[125]

64. Expressing concern at the criminalization of nomadism, pursuant to the Housing (Miscellaneous) Provisions Act, 2002, the Committee on the Rights of the Child recommended that Ireland respect the cultural practice of nomadism and ensure it is not criminalized.[126] The Human Rights Committee recommended that Ireland amend the Housing (Miscellaneous Provisions) Act, 2002 to meet the specific accommodation requirements of Traveller families.[127] The Committee on Economic, Social and Cultural Rights reiterated its previous recommendations that Ireland take steps to provide culturally appropriate accommodation in consultation with Travellers and Roma.[128]

65. The Special Rapporteur on extreme poverty observed that, because of the structural discrimination they experienced, Travellers were particularly vulnerable to poverty, suffering from lower life expectancy and education outcomes.[129] Regarding Travellers and Roma, the Committee on the Rights of the Child was concerned about alleged impunity for publicly expressed discriminatory remarks by public representatives.[130] The Human Rights Committee expressed concern at the lack of data concerning the Roma community in

Ireland, and at instances of the forced removal of Roma children from their families into State care on the basis of their appearance. The Human Rights Committee recommended that Ireland adopt an effective policy and action plan, developed in consultation with Traveller and Roma communities, to redress situations of inequality.[131]

L. Migrants, refugees and asylum seekers

66. The Special Rapporteur on extreme poverty recalled she had recommended that Ireland review the Direct Provision system, ensuring that asylum seekers were afforded the full enjoyment of their rights to, inter alia, family life, social security, and access to the labour market, noting that this recommendation had not been followed.[132] The Committee on the Rights of the Child was concerned that asylum-seeking children were reportedly accommodated in privately run centres that were not covered by national standards relating to children. It urged Ireland to ensure independent inspections of all refugee accommodation centres and recommended that Ireland ensure facilities, including recreation areas, for children and families; and proportionately increase the child allowance to correlate with the cost of living.[133] UNHCR and two other treaty bodies made related recommendations.[134]

67. With reference to accepted recommendations,[135] UNHCR welcomed the adoption of the International Protection Bill to introduce a long-awaited single protection determination procedure and for its focus on the best interests of the child principle.[136] The Committee on Economic, Social and Cultural Rights recommended that Ireland expedite the adoption of the International Protection Bill and determine without undue delay all forms of protection status for asylum seekers.[137] UNHCR encouraged the early implementation by Ireland of related recommendations made by the Working Group on the Protection Process on protection, accommodation and support systems for asylum seekers.[138]

68. The Human Rights Committee expressed concern that victims of trafficking were kept in Direct Provision centres.[139] UNHCR recommended that Ireland amend the existing Administrative Immigration Arrangements for the Protection of Victims of Human Trafficking and supported recommendations for integrating the prevention of human trafficking in Irish policies for asylum seekers.[140]

69. While welcoming the ongoing commitment of Ireland to address issues pertaining to stateless persons, UNHCR recommended establishment of a statelessness determination procedure.[141]

M. Right to development and environmental issues

70. The Special Rapporteur on human rights defenders was pleased at the important initiatives taken to protect human rights defenders in foreign policy and development aid.[142]

N. Human rights and counter-terrorism

71. The Human Rights Committee recommended that Ireland introduce a definition of "terrorist acts" and consider abolishing the Special Criminal Court.[143]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Ireland from the previous cycle (A/HRC/WG.6/12/IRL/2 and Corr.1).

[2] The following abbreviations are used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] Information relating to other relevant international human rights instruments may be found in the pledges and commitments undertaken by Ireland before the Human Rights Council, as contained in the note verbale dated 16 April 2012 sent by the Permanent Mission of Ireland to the United Nations addressed to the President of the General Assembly (see document A/67/80).

[5] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[6] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

[7] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[8] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[9] International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

[10] ILO Domestic Workers Convention, 2011 (No. 189).

[11] ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).

[12] See CRC/C/IRL/CO/3-4, para. 3; and E/C.12/IRL/CO/3, para. 4.

[13] See E/C.12/IRL/CO/3, para. 3.

[14] See A/HRC/20/25, para. 94.

[15] See E/C.12/IRL/CO/3, para. 37, and CRC/C/IRL/CO/3-4, para. 77.

[16] For the full text, see A/HRC/19/9, para. 107.6 (Hungary; Islamic Republic of Iran).

[17] See UNESCO submission for the universal periodic review of Ireland, para. 66 (1).

[18] See CCPR/C/IRL/CO/4, para. 3 (a).

[19] Ibid., para. 5, and E/C.12/IRL/CO/3, para. 37.

[20] See E/C.12/IRL/CO/3, para. 5 (a).

[21] Ibid., para. 15. See also para. 30.

[22] See CCPR/C/IRL/CO/4, para. 22. See also UNESCO submission for the universal periodic review of Ireland, para. 69.

[23] See UNESCO submission for the universal periodic review of Ireland, para. 69.

[24] See CRC/C/IRL/CO/3-4, para. 4 (a).

[25] Ibid., para. 32 (d).

[26] Ibid., para. 9.

[27] See CCPR/C/IRL/CO/4, para. 5. See also CERD/C/IRL/CO/3-4/Add.1, paras. 19-21.

[28] See E/C.12/IRL/CO/3, para. 7. See also CERD/C/IRL/CO/3-4/Add.1, paras. 19-21.

[29] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).

[30] The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf.

[31] See CCPR/C/IRL/CO/4, para. 6.

[32] See E/C.12/IRL/CO/3, para. 9.

[33] See CRC/C/IRL/CO/3-4, paras. 20 and 74 (b).

[34] UNHCR submission for the universal periodic review of Ireland, pp. 3-4 and 6, recommendation (c).

[35] See A/HRC/22/47/Add.3, para. 111 (f).

[36] See CRC/C/IRL/CO/3-4, paras. 23-24.

[37] See UNESCO submission for the universal periodic review of Ireland, para. 66 (4).

[38] See CRC/C/IRL/CO/3-4, para. 16. See also A/HRC/20/25, para. 99.

[39] See E/C.12/IRL/CO/3, para. 10. See also A/HRC/20/25, para. 99.

[40] The report is available at www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx.

[41] See CERD/C/IRL/CO/3-4, para. 34.

[42] See CERD/C/IRL/CO/3-4/Add.1.

[43] Letter dated 31 August 2012 from the Committee on the Elimination of Racial Discrimination to the Permanent Mission of Ireland to the United Nations Office and Specialized Institutions at Geneva, pp. 1 and 2, available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/IRL/INT_CERD_FUL_IRL_14214_E.pdf.

[44] See CCPR/C/IRL/CO/4, para. 25.

[45] See CCPR/C/IRL/CO/3, para. 25.
[46] Letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IRL/INT_CCPR_AFR_IRL_21460_E.pdf.
[47] See CCPR/C/104/2, pp. 8-9.
[48] Letter dated 24 April 2012 from the Special Rapporteur for follow-up on concluding observations of the Human Rights Committee to the Permanent Mission of Ireland to the United Nations Office at Geneva, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IRL/INT_CCPR_FUL_IRL_11896_E.pdf. See also CCPR/C/104/2, pp. 8-9. Further information was requested in the next periodic report.
[49] See CAT/C/IRL/CO/1, para. 33.
[50] See CAT/C/IRL/CO/1/Add.1.
[51] See CAT/C/IRL/CO/1/Add.2 and appendices A, B and C thereto.
[52] For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
[53] See A/HRC/20/25.
[54] See www.ohchr.org/Documents/AboutUs/FundingBudget/VoluntaryContributions2015.pdf, www.ohchr.org/Documents/AboutUs/FundingBudget/VoluntaryContributions2014.pdf and www2.ohchr.org/english/OHCHRReport2014/WEB_version/allegati/8_Donor_profiles_2014.pdf.
[55] See E/C.12/IRL/CO/3, para. 15.
[56] See CCPR/C/IRL/CO/4, para. 7.
[57] See E/C.12/IRL/CO/3, para. 15. See also UNESCO submission for the review of Ireland, paras. 65-66.
[58] See E/C.12/IRL/CO/3, para. 23.
[59] Ibid., para. 12.
[60] See CRC/C/IRL/CO/3-4, para. 28. See also CERD/C/IRL/CO/3-4/Add.1, paras. 10-18, and letter dated 31 August 2012 from the Committee on the Elimination of Racial Discrimination to the Permanent Mission of Ireland to the United Nations Office and Specialized Institutions at Geneva, pp. 1-2.
[61] See CRC/C/IRL/CO/3-4, paras. 4 (e) and 39.
[62] Ibid., para. 27.
[63] Ibid., para. 34.
[64] See A/HRC/22/47/Add.3, para. 100.
[65] See CCPR/C/IRL/CO/4, para. 15, and letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, pp. 11-13.
[66] See CCPR/C/IRL/CO/4, para. 15, and letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, p. 13.
[67] See CCPR/C/IRL/CO/4, para. 12.
[68] See E/C.12/IRL/CO/3, para. 29.
[69] See CCPR/C/IRL/CO/4, para. 14. See also UNESCO submission for the review of Ireland, paras. 65-66.
[70] See CCPR/C/IRL/CO/4, para. 8.
[71] See E/C.12/IRL/CO/3, para. 22.
[72] See CRC/C/IRL/CO/3-4, para. 38. See also CERD/C/IRL/CO/3-4/Add.1, para. 9.
[73] See A/HRC/22/47/Add.3, para. 111 (c).
[74] See E/C.12/IRL/CO/3, para. 7.
[75] See CCPR/C/IRL/CO/4, para. 13. See also A/HRC/22/47/Add.3, para. 111 (h).
[76] See CCPR/C/IRL/CO/4, para. 16.
[77] See E/C.12/IRL/CO/3, para. 8.
[78] See CCPR/C/IRL/CO/4, para. 17.
[79] Ibid., para. 11, and letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, pp. 7-10.

[80] See E/C.12/IRL/CO/3, para. 18. See also CCPR/C/IRL/CO/4, para. 10, and letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, p. 3; CAT/C/IRL/CO/1/Add.2 and appendices A, B and C thereto.
[81] See CCPR/C/IRL/CO/4, para. 10, and letter dated 17 July 2015 from the Permanent Mission of Ireland to the United Nations and other International Organizations at Geneva, pp. 5-6.
[82] See CRC/C/IRL/CO/3-4, paras. 4 (d) and 72. See also UNESCO submission for the universal periodic review of Ireland, para. 65.
[83] See CRC/C/IRL/CO/3-4, para. 46.
[84] Ibid., para. 26.
[85] Ibid., paras. 43-44.
[86] See CCPR/C/IRL/CO/4, para. 21.
[87] See A/HRC/22/47/Add.3, paras. 107 and 111 (j).
[88] Ibid., para. 111 (q).
[89] See E/C.12/IRL/CO/3, para. 17.
[90] Ibid., para. 17.
[91] Ibid., para. 19.
[92] Ibid., para. 16.
[93] Ibid., para. 11.
[94] Ibid., para. 11.
[95] Ibid., para. 11.
[96] See A/HRC/20/25, para. 103.
[97] See CRC/C/IRL/CO/3-4, para. 60.
[98] See E/C.12/IRL/CO/3, para. 24.
[99] See A/HRC/20/25, para. 102.
[100] See E/C.12/IRL/CO/3, para. 21.
[101] Ibid., para. 20.
[102] Ibid., para. 25.
[103] See A/HRC/20/25, para. 107.
[104] See CRC/C/IRL/CO/3-4, paras. 61-62.
[105] See E/C.12/IRL/CO/3, paras. 26-27.
[106] Ibid., para. 28.
[107] See CRC/C/IRL/CO/3-4, para. 50.
[108] Ibid., paras. 53-55.
[109] See E/C.12/IRL/CO/3, para. 29.
[110] Ibid., para. 30, and CCPR/C/IRL/CO/4, para. 9.
[111] See CRC/C/IRL/CO/3-4, para. 57.
[112] See CCPR/C/IRL/CO/4, para. 9.
[113] See E/C.12/IRL/CO/3, para. 30.
[114] See CRC/C/IRL/CO/3-4, para. 58.
[115] See E/C.12/IRL/CO/3, para. 30.
[116] See CRC/C/IRL/CO/3-4, paras. 57-58. See also E/C.12/IRL/CO/3, para. 30, and CCPR/C/IRL/CO/4, para. 9.
[117] See CRC/C/IRL/CO/3-4, para. 63.
[118] See CCPR/C/IRL/CO/4, para. 21.
[119] See E/C.12/IRL/CO/3, para. 31.
[120] Ibid., paras. 31-32. See also UNESCO submission for the universal periodic review of Ireland, paras. 65-66.
[121] See CRC/C/IRL/CO/3-4, para. 64.
[122] See CCPR/C/IRL/CO/4, para. 12.
[123] See E/C.12/IRL/CO/3, para. 13.
[124] See A/HRC/20/25, para. 106.
[125] See CCPR/C/IRL/CO/4, para. 23, E/C.12/IRL/CO/3, para. 33, and CRC/C/IRL/CO/3-4, para. 70. See also CERD/C/IRL/CO/3-4/Add.1, paras. 3-6.
[126] See CRC/C/IRL/CO/3-4, paras. 69-70.
[127] See CCPR/C/IRL/CO/4, para. 23.
[128] See E/C.12/IRL/CO/3, para. 27.

[129] See A/HRC/20/25, para. 106.
[130] See CRC/C/IRL/CO/3-4, para. 27.
[131] See CCPR/C/IRL/CO/4, para. 23.
[132] See A/HRC/20/25, para. 108.
[133] See CRC/C/IRL/CO/3-4, paras. 65-66.
[134] UNHCR submission for the universal periodic review of Ireland, p. 4. See also, pp. 2-6, E/C.12/IRL/CO/3, para. 14, and CCPR/C/IRL/CO/4, para. 19.
[135] For the full texts, see A/HRC/19/9, 106.60 (United Kingdom of Great Britain and Northern Ireland), 106.61 (Mexico) and 106.17 (Uruguay).
[136] UNHCR submission for the universal periodic review of Ireland, pp. 2-3.
[137] See E/C.12/IRL/CO/3, para. 14.
[138] UNHCR submission for the universal periodic review of Ireland, p. 6.
[139] See CCPR/C/IRL/CO/4, para. 20. See also para. 8, and CERD/C/IRL/CO/3-4/Add.1, paras. 7-8.
[140] UNHCR submission for the universal periodic review of Ireland, p. 8.
[141] Ibid., pp. 9-10. See also pp. 8-10.
[142] See A/HRC/22/47/Add.3, para. 109.
[143] See CCPR/C/IRL/CO/4, para. 18.